

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPLICATION NO.3147 OF 2006

Dr.Hanmant Rangrao Dhane .. Applicant  
Versus  
State of Maharashtra .. Respondent

Mr.M.S.Mohite for applicant  
Mr.R.Y.Mirza, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.  
DATE : 29th August 2006

P.C.

. Applicant is one of the 19 accused arrested in connection with the C.R.No.45 of 2006 registered with Borgaon police station. Offences

alleged are under section 307, 326, 3245, 323, 147 to 149 of I.P.C. and the Bombay Police Act.

2. The submission of Mr.Mohite learned Advocate appearing for applicant is that all but two accused, including the present applicant have been enlarged on bail either by the learned Sessions Judge or by this Court. He hands over a copy of my order dated 21st August 2006 in Criminal Application No.2983 of 2006.

3. Mr.Mohite invites my attention to page 8 of the application and sub-clauses (g), (h) and (i) thereof and contends that there is no denial of these allegations even before the trial court.

4. Mr.Mirza, A.P.P. in all fairness does not deny that except the applicant and another accused Jyotiram, others have been enlarged on bail.

5. In my view, this is a case of cross fight on account of disputes and differences pertaining to Gram Panchayat elections. Applicants are also complainants in another C.R. From the applicant's party, one Serjerao succumbed to the injuries sustained on account of assault and attack. In such circumstances as also on the ground of parity, the applicant deserves to be enlarged on bail in identical sum and on identical conditions as are imposed on the applicants in Criminal Application No.2983 of 2006. Hence, following order:-

i) The applicant arrested in connection with C.R.No.45 of 2006 registered with Borgaon Police Station shall be enlarged on bail subject to furnishing a personal bond of Rs.20,000/- with one or two local sureties in the like amount.

ii) The bail is granted subject to condition that the applicant will remain present before the concerned investigating officer twice a week till conclusion of the trial.

iii) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without prior intimation to the Investigating officer.

iv) The bail is granted subject to condition that the applicant shall not directly or indirectly, make any inducement or threat to any prosecution

witnesses and shall not in any manner tamper with the prosecution evidence.

v) The applicant shall cooperate with the learned Trial Judge for expeditious disposal of the case. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

vi) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

vii) Application is disposed of in above terms.

viii) Parties to act on an authenticated copy of this order.

(S.C.DHARMADHIKARI, J)